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## PART V

### Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules: -

#### “KAUSHALYA” THE SKILL UNIVERSITY BILL, 2021.

#### GUJARAT BILL NO. 24 OF 2021.

#### *A BILL*

*to establish and incorporate a Skill University in the State of Gujarat to facilitate and promote skill, entrepreneurship development and skill based education and matters connected therewith and incidental thereto.*

WHEREAS it is considered necessary and advantageous to set up and incorporate a world class experiential learning University in the State of Gujarat to facilitate and promote skill education and training, entrepreneurship development and technology based education in an integrated manner in such way to address 21<sup>st</sup> century skill gaps with skilling, reskilling and upskilling of youth and in the institutional delivery framework in skill development and training and to facilitate research in emerging areas of Primary, Secondary and Tertiary industry of State and to raise overall adequate skill level in various fields related to these allied areas in the State of Gujarat with aim of “Skilling for All”;

It is hereby enacted in the Seventy-second Year of the Republic of India as follows:-

**Short title,  
extent and  
commencement.**

1. (1) This Act may be called “Kaushalya” the Skill University Act 2021.
- (2) It extends to the whole of the State of Gujarat.
- (3) This section shall come into force at once and the remaining provisions shall come in to force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

**Definitions.**

2. In this Act, unless the context otherwise requires, -
  - (a) “Board” means the Board of Governance of the University constituted under section 16;
  - (b) “Deans” means the Deans of the University appointed under section 13;
  - (c) “Director General” means the Director General of the University appointed under section 9;
  - (d) “Directors” means the Directors of the Institutes or the Centers of the University appointed under section 12;
  - (e) “(EDII) – Ahmedabad”, means an autonomous and not-for-profit institute set up in the year 1983 by the Central or the State Government;
  - (f) “Finance Committee” means the Finance Committee of the University constituted under section 23;
  - (g) “Ministry of Skill Development and Entrepreneurship” means Ministry for Skill Development and Entrepreneurship setup by Government of India;
  - (h) “National Skill Development Corporation” means a not-for-profit public limited company incorporated under section 8 of the Companies Act, 2013 by Government of India;
  - (i) “National Skill Qualification Framework” means the qualification assurance framework for skills as notified vide Notification dated 08/06/2013 published by the Department of Economic Affairs, Ministry of Finance, Government of India;
  - (j) “President” means the President of the University appointed under section 8;
  - (k) “prescribed” means prescribed by regulations;
  - (l) “Registrar” means the Registrar of the University appointed under section 11;
  - (m) “regulations” means the regulations of the University made by the Board;
  - (n) “Sector Skill Council” Means Sector Skill Council recognized by Ministry of Skill Development and Entrepreneurship through the National Skill Development Corporation;
  - (o) “Skill Development Council” means the Skill Development Council of the University constituted under section 23;
  - (p) “Society” means the Gujarat Skill Development Society registered under the Societies Registration Act, 1860 and the Gujarat Public Trusts Act, 1950;
  - (q) “State” means the State of Gujarat;
  - (r) “Technical Examination Board” means the Technical Examination Board set up by the Government of Gujarat;

**21 of 1860.  
Bom. 29 of  
1950.**

3 of 1956.

- (s) “University” means “Kaushalya” the Skill University, established and incorporated under section 3;
- (t) “University Grants Commission” means the University Grants Commission established under the University Grants Commission Act, 1956;
- (u) “University Teacher” means Professors, Associate Professor, Assistant Professor and such other persons as may be appointed for imparting instructions, trainings or conducting research in the University or in any college or institute;
3. (1) There shall be established a University by the name of “Kaushalya” the Skill University.
- (2) The President, the Board of Governance, the Skill Development Council, the Finance Committee, the Director General, the Directors, the Deans, the Registrar and all other persons who may hereafter become such officers or members so long as they continue to hold such office or membership, hereby constitute a body corporate by the name of “Kaushalya” the Skill University.
- (3) The University may affiliate any college or institute for the conferment of degree, diploma and certificate to the students admitted therein especially those colleges that provide degree and diploma aimed at bridging the skill gap in the State to be named as “Skill College”.
- (4) The University shall be a body corporate by the name aforesaid, having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire and hold property and dispose of property and to contract and shall, by the said name, sue or be sued.
4. The headquarters of the University shall be at Ahmedabad.
5. The objects of the University shall be as follows, namely: -
- (a) to emerge as one of the foremost University of quality in skill education and training recognized by industries, nationally and internationally.
- (b) to develop the knowledge of technology, management and environment for the advancement of quality of life of the mankind in general and in relation to the domains of skill education and training.
- (c) to create capabilities for upgrading the infrastructure of global standard for education, training and research in the areas related to skill development;
- (d) to promote skill education in an integrated and holistic manner with higher education to ensure pathways for progression and mobility;
- (e) to exchange expertise and best practices in support of skill development efforts with any other national or international college, institution, organization, universities etc.;
- (f) to develop patterns of teaching and training at various levels of educational accomplishment so as to set a high standard of education and training in relation to the domains of skill development;
- (g) to develop qualified candidates with skill proficiency and competency at different levels as per National/State qualification framework of skill education.

**Establishment  
and  
Incorporation of  
University.**

**Headquarters  
of University.**

**Objects of  
University.**

- (h) to provide inter-relationship for national and global participation in the fields of science, technology and management in relation to the domains of skill development and allied fields; and
- (i) to establish close linkages with industry to make teaching, training and research at the University relevant to the needs of the society, at national and global levels.
- (j) to provide consultancy to Government, Semi-Government, public and private industries in the field of skill development;
- (k) to create entrepreneurs/employable youth by providing necessary skill and support;
- (l) to disseminate knowledge/skill through seminars, conferences, executive education programs, community development programs, publications and training programs;
- (m) to frame credit framework for competency based skill and vocational education and training;
- (n) to develop Training of Trainer centre, to engage master trainers in coaching new trainers / upgrade knowledge & skills of existing trainers that are less experienced with a particular topic or skill, or with overall training considering National Skills Qualifications Framework (NSQF) requirements.
- (o) to develop Industry led skills centres to ensure a continuous supply of quality trainers in each sector and to conduct special training programs to impart high quality training in specific sectors with special focus on emerging technologies.
- (p) to set up international alliance skill centers to improve the quality and relevance of skills developed and certified through education and training systems. Also, build and support effective and efficient higher education and vocational educational and training system.
- (q) to pursue such other objects, as may be prescribed.

**Powers and  
Functions of  
University.**

- 6.** Subject to the provisions of this Act, the University shall exercise the following powers and perform the following functions, namely: -
- (a) to administer and manage the University and to establish such Institutes and Centers for research, education and instruction as are necessary for the furtherance of the objects of the University;
  - (b) to develop curriculum packages of skill at different levels, as may be defined by the University or by the National Skill Qualification Framework.
  - (c) to define norms and parameters of skill training, teaching and instruction, consistent with the credit framework and curriculum packages, as the University may deem fit;
  - (d) to lay down parameters for assessment and accreditation of skill educators and training in accordance with the norms specified under the National Skill Qualification Framework, or such other norms, as may be determined by the University.
  - (e) to establish its own Institute or center to provide skill education and training, for identification and recognition of prior learning.

- (f) to establish its own incubation center, retail house, service center, research and development center, production prototype center, industry operated center of excellence or any other center which shall provide high-tech practical training to enhance skill level of youth;
- (g) to conduct innovative experiments in new methods and technologies in the field of technology and management in relation to the skill required for industries in order to achieve international standards of such skill, training and research;
- (h) to prescribe curricula and provide for flexibility in the education systems and delivery methodology including online and distance learning;
- (i) to hold examinations and confer degrees, diplomas or grant certificates and other academic distinction or title on person subject to such conditions as the University may determine, and to withdraw or cancel any such degrees, diplomas, certificates, or other academic distinctions or titles in the prescribed manner;
- (j) to confer honorary degrees or other distinctions in the prescribed manner;
- (k) to establish such special centers, specialized training centers or other units for research and instruction as in the opinion of the University, necessary for the furtherance of its objects;
- (l) to provide printing, production and publication of research and other works and to organize exhibitions, workshops, seminars, conference, etc.;
- (m) to sponsor and undertake research in all aspects of skill education and training;
- (n) to offer executive developmental programs;
- (o) to collaborate or associate with, advise, administer, control, develop and maintain any educational institution with like or similar objects;
- (p) to develop and maintain linkages with educational or other institutions in any part of the world having objects wholly or partly similar to those of the University, through exchange of teachers, students and scholars and generally in such manner as may be conducive to their common objects;
- (q) to develop and maintain relationships with teachers, researchers and experts in any part of the world for achieving the objects of the University;
- (r) to regulate the expenditure, manage the finances and to maintain accounts of the University;
- (s) to receive grants, subventions, subscriptions, donations and gifts for the purpose of the University and consistent with the objects for which the University is established and to enter into any agreement with Central Government, State Government, the University Grants Commission, Ministry of skill development and entrepreneurship, National Skill Development Corporation or other authorities or bodies for receiving any grants, technical support or otherwise;
- (t) to receive funds from the Industry, national and international organizations or any other sources a gifts, donations, benefactions or bequests by transfer of movable and immovable properties for the purposes and objects of the University;

- (u) to establish, maintain and manage halls and hostels for the residence of students and accommodation for faculties, officers and employees of the University and the guest houses, academic infrastructure;
- (v) to supervise and control the residence and regulate the discipline of students of the University and to make arrangements for promoting their health and general welfare and cultural activities;
- (w) to fix, demand and receive or recover fees and such other charges as may be prescribed;
- (x) to institute and award fellowships, scholarships, prizes, medals and other awards;
- (y) to purchase or to take on lease or accept as gift or otherwise, any land or building or works which may be necessary or convenient for the purpose of the University on such terms and conditions as it may think fit and to construct, alter and maintain any such buildings or works;
- (z) to exchange, lease or otherwise dispose of all or any portion of the Immovable properties of the University, on such terms as it may think fit, consistent with the interest, activities and objects of the University under intimation to the State Government;
- (aa) to sell, exchange, lease or otherwise dispose of any movable property of the University;
- (ab) to draw and accept, to make and endorse, to discount and negotiate promissory notes, bills of exchange, cheques or other negotiable instruments;
- (ac) to raise and borrow money on bond, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities and upon such terms and conditions as it may think fit and to pay out of the funds of the University, all expenses incidental to the raising of money, to repay and redeem any money borrowed under intimation to the State Government;
- (ad) to invest the funds of the University in or upon such securities and transpose any investment from time to time in such manner as it may deem fit in the interest of University; to execute conveyance regarding transfers, mortgages, leases, licenses, agreements and other conveyance in respect of the property, movable or immovable including Government securities belonging to the University or to be acquired for the purpose of the University under intimation to the State Government;
- (ae) to admit the students for the courses offered by the University in the prescribed manner;
- (af) to create skill development, academic, technical, administrative, ministerial and other posts and to make appointments thereto;
- (ag) to regulate and enforce discipline among the teaching and non-teaching employees of the University and to provide for such disciplinary measures as may be prescribed;
- (ah) to institute professorships, associate professorships, assistant professorships, endowed professorship, honorary professorships, adjunct professorships and any other teaching, academic or research posts and to prescribe qualifications for them;

- (ai) to appoint persons as Professors, Associate Professors, Adjunct Professors, Assistant Professors, Registrar or otherwise as teachers and researchers of the University;
  - (aj) Subject to the provisions of this Act and regulations, any officer or authority of the University may, by order, delegate his or its powers (except the power to make regulations) to any other officer or authority under his or its control;
  - (ak) to recognize industries or training centers for the purposes of practical training of students in skill and to define norms of recognition of competence attained by student in such practical training in industry or training center for the purpose of to earn credits;
  - (al) to lay down norms for transfer of credits to promote new learning opportunities without compromising on learning outcomes;
  - (am) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of all or any of the objects of the University.
  - (an) The University shall furnish to the State Government, University Grants Commission, Ministry of Skill Development and Entrepreneurship, All India Council for Technical Education and other statutory authorities such reports, returns, statements and other information as may be required by them from time to time.
  - (ao) to establish Academic Bank of credit for Constituent/Affiliated Colleges/Departments/Schools, etc. or other recognized Universities.
7. The following shall be the officers of the University, namely: - **Officers of University.**
- (a) The President,
  - (b) The Director General,
  - (c) Directors,
  - (d) Deans,
  - (e) The Registrar, and
  - (f) The Controller of Examination,
  - (g) Such other persons as may be declared by regulations to be the officers of the University.
8. (1) The President of the University shall be appointed by the State Government. **President.**
- (2) The person to be appointed as President shall, -
- (a) be an eminent technologist or industrialist having long-term vision and mission for skill development and;
  - (b) be associated with Gujarat in terms of development, education, philanthropy, industrial or business development and;
  - (c) not have attained the age of sixty-five years on the date of nomination or re-nomination.
- (3) The President shall hold office for a period of three years and shall be eligible for re-nomination for one more term only.

- (4) The other terms and conditions for the President shall be such as may be determined by the State Government.
- (5) Where a vacancy in the office of the President occurs on account of death, resignation or otherwise, the Government of Gujarat shall appoint a suitable person to be the President in accordance with the provision of sub-section (2), in the interim the State Government shall appoint a suitable person to officiate as President.
- (6) The President may resign from his office by writing under his hand addressed to the State Government and such resignation shall take effect from the date of acceptance.
- (7) The President shall have, subject to the provisions of this Act, power to cause an inspection or review to be made by such person or persons as he may direct, of the University, its buildings, hostels, libraries, equipment and systems and processes and of any institution or center maintained by the University, and also of the examinations, teaching, research and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration, academic affairs and finances of the University.

**Director  
General.**

**9.**

- (1) The Director General shall be appointed by the Board out of the panel of three names recommended by the Search Committee.
- (2) The Search Committee shall consist of the following members, to be nominated by the Board, namely:-
  - (a) an eminent technologist/ industrialist,
  - (b) an eminent person with experience in skill development,
  - (c) one of the member of the Board.
- (3) The Director General shall be appointed from the field of technology, Science, Public Administration, Skill Development or Management, and shall not have completed more than sixty years of age at the time of appointment. He should be a person of high repute in academics/Skill Development and have significant credentials to support the same.
- (4) The Board shall designate one of the members of the Search Committee as the chairman of the Committee.
- (5) The term of office of the Director General shall be determined by the Board for a period not exceeding three years. He shall be eligible for reappointment for one more term not exceeding three years
- (6) Whenever any vacancy occurs in the office of the Director General and it cannot be conveniently and expeditiously filled up in accordance with the provisions of sub-sections (1) to (3) of this section. Pending such appointment, the Principal Secretary or, as the case may be, the Additional Chief Secretary, Labour and Employment Department of the Government of Gujarat shall function as the Director General of the University.
- (7) The other terms and conditions of the services of the Director General shall be such as may be prescribed by the Board and until so prescribed, shall be determined by the President.



- 10.**
- Powers and duties of Director General.**
- (1) The Director General shall be the Chief Executive of the University. He shall preside over at the meetings of the Academic Council, Skill Development Council and the Finance Committee.
  - (2) Without prejudice to the generality of the provisions contained in sub- section (1), the Director General shall,
    - (a) exercise general supervision and control over the affairs of the University;
    - (b) ensure implementation of the decisions of the authorities of the University;
    - (c) be responsible for imparting of instruction and maintenance of discipline in the University; and
    - (d) exercise such other powers and perform such other duties as may be assigned to him by or under this Act or the regulations or as may be delegated to him by the Board or by the President.
  - (3) Where any matter is of urgent in nature requiring immediate action and the same cannot be immediately dealt with by the Chairman or authority or body of the University empowered under this Act to deal with it, the Director General may take such action as he may deem fit and shall forthwith report the action was so taken by him to the Chairman or authority or body of the University who or which, in the ordinary course, would have dealt with the matter:

Provided that if such authority or other body is of the opinion that such action ought not to have been taken by the Director General, it may refer the matter to the Board which may either confirm the action taken by the Director General or annul the same or modify it in such manner as it thinks fit, and thereupon the action shall cease to have effect or, as the case may be, shall take effect in such modified form. However, such modification or annulment shall be without prejudice to the validity of anything previously done by or under the order of the Director General.
  - (4) Where the exercise of the power by the Director General under sub- section (3) involves the appointment of any person, such appointment shall be confirmed by the competent authority empowered to approve such appointment, in accordance with the provisions of this Act and the regulations, not later than six months from the date of order of the Director General, otherwise such appointment shall cease to have effect on the expiration of a period of six months from the date of order of the Director General.
- 11.**
- Registrar.**
- (1) The Registrar shall be appointed by the Board in such manner and on such terms and conditions as may be prescribed.
  - (2) The Registrar shall -
    - (a) be responsible for the custody of records, common seal, the funds of the University and such other property of the University;
    - (b) place before the Board and other authorities of the University, all such information and documents as may be necessary for transaction of its business;
    - (c) be responsible to the Director-General for the proper discharge of his functions;
    - (d) be responsible for the administration and services of the University; and make all other arrangements necessary thereof and be responsible for the execution of all processes connected therewith;

- (e) attest and execute all documents on behalf of the University;
- (f) verify and sign the pleadings in all suits and other proceedings by or against the University. All the processes in such suits and proceedings shall be issued to and served on the Registrar; and
- (g) exercise such other powers and perform such other duties as may be assigned to him by or under this Act, the regulations or as may be delegated to him by the Board or the Director General.

- Directors.**     **12.**     (1) The Directors of the Institutes or Centers of the University shall be appointed by the Director General, with the approval of the Board in such a manner and on such terms and conditions as may be prescribed.
- (2) The Directors shall assist the Director General in managing the academic, administrative and other affairs of the institutes or centers and shall exercise such powers and perform such functions as may be prescribed or entrusted to them by the Director General.

- Deans.**         **13.**     (1) The Director General, with the approval of the Chairman, shall appoint the Deans of the University from amongst the faculties of the University.
- (2) The Deans shall assist the Director General and respective Directors of the Institutes or Centers in managing the academic and other affairs of the University, Institutes and Centers, and shall exercise such powers and perform such functions as may be prescribed or entrusted to them by the Director General.

- Controller of Examinations.**     **14.**     (1) The Controller of Examinations shall be the whole time salaried officer of the University and shall be appointed by the Board on such terms, conditions and remunerations as may be prescribed.
- (2) It shall be the duty of the Controller of Examinations to hold various examinations of the University and its constituent institutions, if any.
- (3) The Controller of Examinations shall be the authority to hold examinations and shall ensure that the results are declared in time.
- (4) The Controller of Examinations shall be the authority to convene the convocation.

- Authorities of University.**     **15.**     (1) The following shall be the authorities of the University, namely:-
- (a) The Board of Governance;
  - (b) The Academic Council;
  - (c) The Skill Development Council;
  - (d) The Finance Committee;
  - (e) Such other authorities as may be declared by regulations to be the authorities of the University.
- (2) The Board may make regulations consistent with this Act, for -
- (a) laying down the procedure to be followed at their meeting; and
  - (b) providing for all matters which by this Act are to be prescribed by regulations.
- (3) The Board shall make regulations providing for giving of notice to the members of the authority of the dates of meeting and of the agenda to be considered at meetings and for keeping of a record of the proceedings of the meetings.

- (4) The annual report of the University giving details of broad programs, policies and finances, amendments of acts made during the year under report, shall be prepared under the direction of The Skill Development Council and shall be submitted to the board on or after such date as may be prescribed and the board shall consider the report at its annual meeting.

16. (1) The Board of Governance, the University shall consist of the following members, namely: -

**Board of  
Governance.**

**I. *Ex-officio* – Permanent Members:**

- (a) The President, who shall be the Chairman of the Board;
- (b) The Director General;
- (c) The Secretary to Government of Gujarat, Department of Labour and Employment;
- (d) The Secretary to Government of Gujarat, Department of Education;
- (e) The Secretary to Government of Gujarat, Department of Finance;
- (f) The Secretary to Government of Gujarat, Industries and Mines Department;
- (g) Director, Employment and Training or Mission Director/Chairman, Gujarat Skill Development Mission/ Gujarat Skill Development Corporation;
- (h) One Director by rotation to be nominated by the Board;
- (i) One Dean by rotation to be nominated by the Board;
- (j) Director of Indian Institute of Skill – Ahmedabad;
- (k) Director of Entrepreneurship Development Institute of India – Ahmedabad or his nominee.

**II. Other Members:**

- (a) One expert academicians, to be nominated by the Board;
  - (b) Two professionals of skill development, to be nominated by the Board.
  - (c) Two eminent experts from the industry preferably those who are running skill centers of excellence in collaboration with the University.
- (2) The Registrar shall be the Secretary of the Board.
- (3) At all meetings, fifty per cent. of the members shall form a quorum.
- (4) The Board shall meet at least two times in year. A special meeting of the Board may be convened at any time, by the President, Director General or on a written request by one-third of its members.
- (5) The term of office of the members other than the *ex-officio* members, shall be three years and an *ex-officio* member shall continue so long as he holds the office by virtue of which he is a member.

17. (1) The Chairman shall preside over the meetings of the Board and at the convocation of the University.

**Powers of  
Chairman of  
Board.**

- (2) The Chairman shall exercise such other powers and perform such other duties as may be assigned to him by or under this Act or regulations.

**Powers and  
functions of  
Board.**

18. (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and the control of the affairs of the University and shall exercise all the powers of the University, and shall have the power to review the acts of The Skill Development Council and the Finance Committee and other committees or authorities constituted by the University.
- (2) Without prejudice to the provisions of sub-section (1), the Board shall have the following powers and functions, namely: -
- (a) To take decision on question of policy relating to the administration and working of the University;
  - (b) to institute courses of study at the University;
  - (c) to make regulations;
  - (d) to consider and approve the annual report and the annual budget of the University for every financial year;
  - (e) to invest money and funds of the University and to take decision on the recommendation of the Finance Committee;
  - (f) to publish or finance the publication of studies, treaties, books, periodicals, reports and other literature from time to time and to sell or arrange for the sale as it may deem fit;
  - (g) to lay down policies to be pursued by the University;
  - (h) to take such decisions and steps as are found desirable for effectively carrying out the objects of the University;
  - (i) to create or abolish posts of teachers and officers and employees of the University;
  - (j) to appoint such committees as it considers necessary for the exercise of its powers and the performance of its duties under this Act;
  - (k) to appoint Directors;
  - (l) to delegate any of its powers to the Director General, Directors, Deans, Registrar or any other officers, employee or authority of the University or to a committee appointed by it; and
  - (m) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by or under this Act or the regulations, and all such other powers for achieving the objects of the University.
  - (n) to constitute committee for review of any action/decision taken by the Director General or any other officer of the University and take appropriate decision there upon.

**Term of  
office and  
vacancies of  
members of  
the Board.**

19. (1) Save as otherwise provided in this section, the term of a nominated member of the Board shall be three years from the date of nomination. An *ex-officio* member shall continue so long as he holds the office by virtue of which he is the member of the Board;
- (2) Any vacancy in the Board occurring before the next reconstitution or before the expiry of the prescribed period shall be filled in the same manner as provided in section 16 and such a member shall hold office for the remainder of the term of the member in whose place he is nominated;

- (3) A member shall be eligible for re-nomination for one more term;
  - (4) A member may resign from his office by writing under his hand addressed to the Chairman of the Board and his resignation shall take effect from the date it is accepted by the Chairman.
- 20.** (1) Subject to the provisions of this Act, the Board shall have, in addition to all other powers vested in it, the powers to make regulations to provide for the administration and management of the affairs of the University. **Powers to make regulations.**
- (2) In particular, and without prejudice to the generality of the foregoing powers, such regulations may provide for all or any of the following matters, namely: -
- (a) The summoning and holding of meetings of the authorities of the University, other than the first meeting of the Board, and the quorum and conduct of business at such meetings;
  - (b) The powers and functions to be exercised and discharged by the President and the Chairman of the Board;
  - (c) The constitution, powers and duties of the authorities, bodies and other committees of the University, the qualifications and disqualifications for membership of such authorities, term of office of the membership, appointment and removal of members thereof and other matters connected therewith;
  - (d) The procedure to be followed by the Board and any Committee or other body constituted by or under this Act in the conduct of the business, exercise of the powers and discharge of the functions;
  - (e) The procedures and criteria to be followed in establishing courses of study and admission of students;
  - (f) The procedure to be followed for enforcing discipline in the University;
  - (g) The management of the properties of the University;
  - (h) The diplomas, degrees, certificates and other academic distinctions and titles which may be conferred or granted by the University and withdrawal or cancellation of any such degrees, diplomas, certificates and other academic distinctions and titles and the requirements thereof;
  - (i) The conduct of examinations;
  - (j) The creation of posts of Directors, Professors, Associate Professors, Assistant Professors or equivalent academic designations or posts, officers and employees of the University, and the appointment of persons to such posts including the qualifications requisite therefore;
  - (k) The fees and other charges to be paid to the University for the courses, training, facilities and services provided by it;
  - (l) The manner and conditions for constitution of insurance, pension and provident funds and such other schemes for the benefits of officers, teachers and employees of the University;
  - (m) The terms and conditions for association of the University with other institutions;
  - (n) The preparation of budget estimates and maintenance of accounts;

- (o) The mode of execution of contracts or agreements by or on behalf of the University;
- (p) The classification and procedure for appointment of officers, employees and other staff of the University;
- (q) The terms and conditions and tenure of appointments, salaries and allowances, contractual services, rules of discipline and other conditions of service of the Director General, Directors, officers, teachers and employees of the University;
- (r) The terms and conditions governing deputation of teachers / officers and employees of the University;
- (s) The powers and duties of the Director General, Directors and other officers, teachers and employees of the University;
- (t) The terms and conditions governing fellowships, scholarships, stipends, medals and prizes;
- (u) The authentication of the orders and the decisions of the Board;
- (v) The matters relating to hostels and halls of residence and housing for faculties, officers and employees and guest house including disciplinary control therein; and all matters which, by this Act, are to be or may be prescribed.

**Academic Council.**

- 21.** (1) The Academic Council of the University shall consist of the following members, namely; -
- (a) The Director General, who shall be the chairman of the Academic Council;
  - (b) Two academicians or professionals, to be nominated by the Board
  - (c) Two academicians or professionals in the fields of skill development, to be nominated by the Board
  - (d) One professor from each discipline of the University, by rotation, to be nominated by the Director General.
- (2) The registrar shall be the Secretary of the Council.
- (3) The term of office of the members other than the *ex-officio* members, shall be three years.

**Powers and functions of Academic Council.**

- 22.** Subject to the provision of this Act and the regulations, the Academic Council shall have the following powers, namely:-
- (1) to exercise control over the academic policies of the University and be responsible for the maintenance and improvement of standards of instruction, skill development and evaluation in the university;
  - (2) to consider matters of general academic interest either on its own initiative or on a reference from the faculty of the University or the board and to take appropriate action thereon;
  - (3) to recommend to the board, such as are consistent with this Act regarding the academic functioning of the University including discipline of the students and
  - (4) to exercise such other powers and perform such other functions as may be conferred upon it by the regulations.

- 23.** (1) The Skill Development Council of the University shall consist of the following members, namely: -
- Skill Development Council.**
- I. *Ex-officio* members:**
- (a) The Director General, who shall be the Chairman of the Skill Development Council;
  - (b) The Director of Technical Education, Department of Education – Government of Gujarat or his nominee;
  - (c) Member-Secretary of Gujarat Council of Vocational Training – Gandhinagar;
  - (d) Commissioner of Industries, Industries and Mines Department of Government of Gujarat;
  - (e) Mission Director, Gujarat Skill Development Mission.
- II. Other Members:**
- (a) Three representative from Sector Skill Council (?)
  - (b) One representative from Gujarat Chamber of Commerce and Industry.
- (2) The Registrar shall be the Secretary of the Council.
- (3) Fifty per cent. of the members shall form a quorum.
- (4) The Skill Development Council shall meet at least two time in a year.
- (5) The term of office of the members other than the *ex-officio* members, shall be two years and an *ex-officio* member shall continue so long as he holds the office by virtue of which he is a member.
- 24.** Subject to the provisions of this Act and the regulations, the Skill Development Council shall have the following powers, namely:-
- Powers and Functions of Skill Development Council.**
- (1) to have general supervision over the skill and academic policies of the University and give directions regarding methods of instruction, co-operative teaching among skill colleges and skill institute, evaluation of research or improvement in skill and academic standards;
  - (2) to frame such regulations consistent with acts regarding the skill training and academic functions of the University, discipline, residence, admissions, equivalency, attendance;
  - (3) to prescribe development syllabi and courses of study for various skill courses on the recommendations of the departments/ facilities;
  - (4) the number and value of fellowships, scholarships, medals and prizes to be awarded shall be determined by the Skill Development Council its own initiative or on the recommendations of the finance committee.
  - (5) to exercise such other powers and perform such other functions as may be conferred upon it by the regulations.
- 25.** (1) The Finance Committee shall consist of the following members, namely: -
- Finance Committee.**
- (a) The Director General, who shall be the Chairman of the Committee;
  - (b) One member of the Board to be nominated by the President;
  - (c) One Director, by rotation, to be nominated by the Director General;

- (d) One expert in the field of finance to be nominated by the Board;
- (e) One of the member to be nominated by the Finance Department, Government of Gujarat.
- (2) The Registrar shall be the Secretary of the Committee.
- (3) Fifty per cent. of the members shall form a quorum.
- Powers and Functions of Finance Committee.** 26. Subject to the other provisions of this Act, the Finance Committee shall exercise the following powers and perform the following functions, namely: -
- (1) to examine the annual account and annual budget estimates of the University and to advise the Board thereon;
  - (2) to review from time to time the financial position of the University;
  - (3) to make recommendations to the Board on all financial policy matters of the University;
  - (4) to make recommendations to the Board on all proposals involving raising of funds, receipts and expenditures;
  - (5) to provide guidelines for investment of surplus funds;
  - (6) to make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the budget or for which expenditure in excess of the amount provided in the budget needs to be incurred;
  - (7) to examine all proposals relating to the revision of pay-scales, up-gradation of the scales and those items which are not included in the budget prior to placing before the Board; and
  - (8) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by the regulations.
- Funds of University.** 27. (1) The University shall have its own funds consisting of –
- (a) The money provided by the *State* Government either through the Society or directly;
  - (b) Fees and other charges received by the University;
  - (c) The money received by the University by way of grants, loans, gifts, donations, benefactions, bequests or transfer; the money received by the University from the collaborating Industries in terms of the provisions of the Memorandum of Understanding entered between the University and the Industry, for establishment of sponsored chairs, fellowships or infrastructure facilities of the University; and
  - (d) The moneys received by the University from any other source.
- (2) All funds of the University shall be deposited in such bank or invested in such manner as the Board may decide on the recommendation of the Finance Committee.
- (3) The Funds of the University shall be applied towards the expenses of the University including expenses incurred in the exercise of its powers and discharge of its functions by or under this Act.
- (4) Permanent Endowment Fund of University. – The Gujarat Skill Development Society shall place funds at the disposal of the University to be called the



Permanent Endowment Fund of sum of five crores of rupees or such sum required for meeting the full operational expenditure of the University, whichever is more, for a period of five years in the form of long term interest bearing securities issued or guaranteed by the Central or the State Government. On the termination of the involvement of the Gujarat Skill Development Society and after meeting with the operational expenditure for a period of five years, out of the Permanent Endowment Fund, if there is any unused balance the same shall be paid back to the Gujarat Skill Development Society with the previous permission of the State Government.

- (5) Payment by Gujarat Skill Development Society to University. – The Government of Gujarat through the Gujarat Skill Development Society shall pay to the University from time to time such sums of money and in such manner as may be considered necessary for the exercise of powers and discharge of its functions by the University by or under this Act.
- (6) Transitory Provisions.- Notwithstanding anything contained in this Act, the Director General may, with the prior approval of the President and subject to availability of the funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and the regulations and for that purpose, may exercise any powers or perform any duties which by or under this Act and regulations are to be exercised or performed by any authority of the University until such authority comes into existence in accordance with the provisions of this Act and the Regulations. The Government of Gujarat may, *from time to time* review and monitor such actions taken by the Director General.

28. (1) The University shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the income and expenditure and the balance-sheet, in such form and in such manner as may be prescribed.
- (2) The University shall adopt a proper system of internal checks and balances and controls in the discharge of its financial, accounting and auditing functions as may be prescribed.
- (3) The accounts of the University shall be audited every year by an auditor, who shall be a Chartered Accountant as defined in the Chartered Accountant Act, 1949 or a firm of Chartered Accountants, to be appointed by the Board.
- (4) The accounts of the University certified by the person or firm so appointed or any other person authorized in this behalf together with the audit report thereon shall be placed before the Board and the Board may issue such instructions to the University in respect thereof as it deems fit and the University shall comply with such instructions.
- (5) The accounts of the University shall be audited by an internal auditor who shall be a Chartered Accountant or a firm of Chartered Accountants appointed by the Board, to ensure concurrent audit of all books of accounts and such periodic internal audit reports shall be placed before the Board for review.
- (6) The University shall prepare for each financial year an annual report containing such particulars as the Board may specify and submit the same to the Board on or before such date as may be prescribed. The Board shall consider such report and may pass resolution thereon and thereupon the Finance Committee shall take action in accordance with such resolution. The action taken by the Finance Committee on such resolution and if no action is taken, the reasons for not taking any action shall be communicated to the Board.

**Accounts and  
Audit.**

|                                                                                       |            |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                    |
|---------------------------------------------------------------------------------------|------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|                                                                                       |            | (7) | The copy of the annual report along with the resolution of the Board thereon shall be submitted to the State Government.                                                                                                                                                                                                                                                                                                                                                                |                    |
| <b>University open to all irrespective of sex, religion, class, creed or opinion.</b> | <b>29.</b> | (1) | No person shall be excluded from any office of the University or from membership of any of its authorities, bodies or committees, or from admission to any degree, diploma or other academic distinction or course of study on the sole ground of sex, race, creed, caste, class, place of birth, religious belief or political or other opinion.                                                                                                                                       |                    |
|                                                                                       |            | (2) | It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, caste, class, place of birth, religious belief or profession of political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the University or to qualify for any degree, diploma or other academic distinction or to enjoy or exercise any privilege of the University or any benefaction thereof. |                    |
| <b>Appointment of teachers.</b>                                                       | <b>30.</b> | (1) | All appointment to teaching and non-teaching posts shall be made by the Board on the recommendations of the Selection Committee.                                                                                                                                                                                                                                                                                                                                                        |                    |
|                                                                                       |            | (2) | The Director General may, where he considers necessary, make an <i>ad-hoc</i> or temporary appointment for a period not exceeding six months, if it is not possible or desirable to make regular appointment.                                                                                                                                                                                                                                                                           |                    |
|                                                                                       |            | (3) | Special mode of appointment: Notwithstanding anything contained in this Act, The Director General may invite a person of high academic distinction and professional attainments to accept a post of professor in the University, on such terms and conditions, as it may deem fit and on the person agreeing to do so, appoint him/her to the post.                                                                                                                                     |                    |
| <b>Pension and provident fund.</b>                                                    | <b>31.</b> | (1) | The University shall, with the approval of the Board, constitute for the benefit of its officers, teachers and other employees, in such manner and subject to such conditions as may be prescribed, such schemes of pension, provident fund and insurance as it may deem fit, and also aid in establishment and support of the associations, institutions, funds, trusts and conveyance calculated to the benefit of the officers, teachers and employees of the University.            |                    |
|                                                                                       |            | (2) | Where any such provident fund has been constituted, the provisions of the Provident Funds Act, 1925 shall apply to such fund as if it were a Government Provident Fund.                                                                                                                                                                                                                                                                                                                 | <b>19 of 1925.</b> |
|                                                                                       |            | (3) | The University shall provide for the benefit of its officers, teachers and other employees, gratuity, <i>ex-gratia</i> grant, etc. on the pattern of the state government.                                                                                                                                                                                                                                                                                                              |                    |
| <b>Department / Faculty of University.</b>                                            | <b>32.</b> | (1) | The University shall have such Institute / Departments / Faculties / School in the emerging areas of the skill development sectors as the Board on the recommendations of the Skill Development Council, or otherwise may institute, the Institute / Departments / Faculties / School so constituted shall exercise powers to promote quality skill education to meet out qualified skill requirements of growing economy and to address the skill gaps.                                |                    |
|                                                                                       |            | (2) | There shall be University teaching departments duly created by the Skill Development Council on the recommendation of the Director General in the various faculties of the University. These departments / faculties / institutes / schools may be set up by University from its own funds or on Public Private Partnership (PPP) basis.                                                                                                                                                |                    |
|                                                                                       |            | (3) | The Department of Studies shall be assigned to various faculties by The Skill Development Council on the recommendation of the Director General.                                                                                                                                                                                                                                                                                                                                        |                    |

- (4) Every department included in faculty, may have two boards of studies, one for certificate/diploma studies and the other for undergraduate/postgraduate studies and research. The board of studies shall be constituted on the recommendation of the Skill Development Council.
33. The State Government shall have power to issue direction from time to time as may be required for compliance of the provisions of this Act, the regulation and under any other law for the time being in force and the University shall be bound to comply with such directions. **Powers of State Government to issue directions.**
34. No suit, prosecution or other legal proceeding shall lie against and no damage shall be claimed from the University, the President, the Director General, the Directors, the authorities or officers or employees of the University or any other person in respect of anything which is done in good faith or purporting to be done in pursuance of this Act or any regulations made thereunder. **Indemnity.**
35. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing difficulties: **Power to remove difficulties.**
- Provided that no such order shall be made under this section after the expiry of two years from the date of commencement of this Act.
- (2) Every order made under this section shall be laid, as soon as may be after it is made, before the State Legislature.

### STATEMENT OF OBJECTS AND REASONS

Skill Development is a sustainability tool to empower youth, to safeguard their future and for the overall development of an individual and can contribute to structural transformation and economic growth by enhancing employability and labor productivity and helping state to become more competitive.

Gujarat State is one of the more industrially advanced state and required skilled workforce. To supply the skilled manpower to state's industry it is needed and advantageous to set up and incorporate a world class experiential learning University to facilitate and promote skill education and training, entrepreneurship development and technology based education in an integrated manner in such way that to address 21<sup>st</sup> century skill gaps.

With aim of "Skilling for All" – "KAUSHALYA" The Skill University providing skilling, reskilling and upskilling of youth and in the institutional delivery framework in skill development and training and to facilitate research in emerging areas required in primary, secondary and tertiary industry of state and to raise overall adequate skill level of youth.

This Bill seeks to achieve the aforesaid objects.

The following notes on *clauses* explain, in brief, the important provisions of the Bill:-

- |                            |                                                                                                                                                                                                                                                |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Clause 1.-</b>          | This clause provides for short title, extent and commencement of the Act.                                                                                                                                                                      |
| <b>Clause 2.-</b>          | This clause defines certain terms used in the Bill.                                                                                                                                                                                            |
| <b>Clauses 3 to 6.-</b>    | These clauses provide for establishment and incorporation of the "Kaushalya" the Skill University, its headquarters, objects and powers and functions of the University.                                                                       |
| <b>Clauses 7 to 14.-</b>   | These clauses provide for the Officers such as President, Director-General, Directors, Deans, Registrar, Controller of Examination, etc. terms and conditions of their appointment, powers to be exercised and duties to be performed by them. |
| <b>Clause 15.-</b>         | This clause provides for as to which shall be the authorities of the University.                                                                                                                                                               |
| <b>Clauses 16 to 19.-</b>  | These clauses provide for the constitution of the Board of Governors, Powers of Chairman of the Board, Terms of office and vacancies of members of the Board, powers and duties of the Board of Governors.                                     |
| <b>Clause 20.-</b>         | This clause provides for the power of the Board to make regulations.                                                                                                                                                                           |
| <b>Clauses 21 and 22.-</b> | These clauses provide for the constitution of the Academic Council and the powers to be exercised and functions to be performed by it.                                                                                                         |
| <b>Clauses 23 and 24.-</b> | These clauses provide for the constitution of the Skill Development Council and the powers to be exercised and functions to be performed by it.                                                                                                |
| <b>Clauses 25 and 26.-</b> | These clauses provide for the constitution of the Finance Committee and the powers to be exercised and functions to be performed by it.                                                                                                        |
| <b>Clause 27.-</b>         | This clause provides for the Fund of the University.                                                                                                                                                                                           |
| <b>Clause 28.-</b>         | This clause provides for the Accounts and audit of the University                                                                                                                                                                              |
| <b>Clause 29.-</b>         | This clause provides that the University shall be open to all irrespective of their sex, race, creed, class, caste, place of birth, religious belief or political or other opinion.                                                            |
| <b>Clause 30.-</b>         | This clause provides for the appointment of the teachers of the University.                                                                                                                                                                    |
| <b>Clause 31.-</b>         | This clause provides for the pension, provident fund, insurance and other benefits of the officers, teachers and other employees of the University.                                                                                            |
| <b>Clause 32.-</b>         | This clause provides for the Institute / Departments / Faculties / School in the emerging areas of the skill development sectors.                                                                                                              |

- Clause 33.-** This clause provides for the powers of the State Government to issue directions for compliance of the provisions of this Act, the regulation and under any other law for the time being in force and the University shall be bound to comply with such directions.
- Clause 34. -** This clause provides for usual indemnity for acts done in good faith.
- Clause 35.-** This clause empowers the State Government to remove difficulties arising in giving effect to the provisions of the Act within a period of two years from the commencement of the Act.

**BRIJESHKUMAR MERJA,**

#### **FINANCIAL MEMORANDUM**

Sub-clause (1) of clause 27 of the Bill enables the State Government to make contribution and grant to the University which are to be carried to the fund of the University. An amount of rupees one crore has been approved in the demand for grants in the State budget 2021-2022 as initial grant for this purpose is to be provided to the University. In these circumstances, clause 27 of this Bill, when enacted and brought into operation would involve recurring and non-recurring expenditure from the Consolidated Fund of the State to that extent.

**BRIJESHKUMAR MERJA,**

#### **MEMORANDUM REGARDING DELEGATED LEGISLATION**

This Bill provides for delegation of legislative powers in the following respects:-

- Clause 1.-** Sub-clause (3) of this clause empowers the State Government to appoint by notification in the *Official Gazette*, the date on which the remaining provisions of the Act shall come into force.
- Clause 5.-** Sub-clause (q) of this clause empowers the Board of Governors to prescribe by regulations, the objects of the University other than the objects as specified therein.
- Clause 6.-**
- (i) Sub-clause (h) of this clause empowers the State Government to prescribe by regulations, the curricula;
  - (ii) sub-clause (i) of this clause empowers the Board of Governors to prescribe by regulations, the manner for withdrawal or cancellation of the degrees, diplomas, certificates, or other academic distinctions or titles;
  - (iii) sub-clause (j) of this clause empowers the Board of Governors to prescribe by regulations, the manner for the conferment of honorary degrees or other distinctions;
  - (iv) sub-clause (w) of this clause empowers the Board of Governors to prescribe by regulations, the fees and other charges to be fixed, demanded, received or recovered;
  - (v) sub-clause (ae) of this clause empowers the Board of Governors to prescribe by regulations, the manner in which the University shall admit the students for the courses offered by it;

- (vi) sub-clause (ag) of this clause empowers the Board of Governors to prescribe by regulations, the manner in which disciplinary measures shall be provided;
- (vii) sub-clause (ah) of this clause empowers the Board of Governors to prescribe by regulations, the qualifications for professor, associate professor, assistant professor, endowed professor, honorary professor, adjunct professor and for any other teaching, academic or research posts.

**Clause 7.-** Sub-clause (g) of this clause empowers the Board of Governors to declare by regulations, the persons other than the persons as specified in this clause, to be the officers of the University.

**Clause 9.-** Sub-clause (7) of this clause empowers the Board of Governors to prescribe by regulations, the other terms and conditions of the services of the Director General.

**Clause 11.-** Sub-clause (1) of this clause empowers the Board of Governors to prescribe by regulations, the manner in which and the terms and conditions subject to which the Registrar shall be appointed by the Board.

**Clause 12.-** (i) Sub-clause (1) of this clause empowers the Board of Governors to prescribe by regulations, the manner in which and the terms and conditions subject to which the Directors of the Institutes or Centers of the University shall be appointed by the Director General;

(ii) sub-clause (2) of this clause empowers the Board of Governors to prescribe by regulations, the powers to be exercised and the functions to be performed by the Directors.

**Clause 13.-** Sub-clause (2) of this clause empowers the Board of Governors to prescribe by regulations, the powers to be exercised and the functions to be performed by the Deans of the faculties.

**Clause 14.-** Sub-clause (1) of this clause empowers the Board of Governors to prescribe by regulations, the manner in which and the terms and conditions subject to which the Controller of examinations of the University shall be appointed by the Board.

**Clause 24.-** Sub-clause (3) of this clause empowers the Board of Governors to prescribe by regulations, the development syllabi and courses of study for various skill courses on the recommendations of the departments/ facilities.

**Clause 28.-** (i) Sub-clause (1) of this clause empowers the Board of Governors to prescribe by regulations, the form and the manner in which the University shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the income and expenditure and the balance sheet;

(ii) sub-clause (2) of this clause empowers the Board of Governors to prescribe by regulations, the form and the manner in which the University shall adopt a proper system of internal checks and balances and controls in the discharge of its financial, accounting and auditing functions;

(iii) sub-clause (6) of this clause empowers the Board of Governors to prescribe by regulations, the date on or before which the University shall prepare for each financial year an annual report containing such particulars as the Board may specify and submit the same to the Board.

**Clause 31.-** Sub-clause (1) of this clause empowers the Board of Governors to prescribe by regulations, the manner in which and subject to such terms and conditions, the University shall, with the approval of the Board, constitute for the benefit of its officers, teachers and other employees, the schemes of pension, provident fund and insurance as it may deem fit, and also aid in establishment and support of the associations, institutions, funds, trusts and conveyance calculated to the benefit of the officers, teachers and employees of the University.

**Clause 35.** – Sub-clause (1) of this clause empowers the State Government to make an order published in *Official Gazette*, to remove any difficulty if arisen in giving effect to the provisions of this Act within a period of two years.

The delegation of legislative powers, as aforesaid, is necessary and is of a normal character.

Dated 21<sup>st</sup> September, 2021.

**BRIJESHKUMAR MERJA.**

By order and in the name of the Governor of Gujarat,

**K. M. LALA,**

Secretary to the Government of Gujarat,  
Legislative and Parliamentary Affairs Department

Gandhinagar.

Dated the 22<sup>nd</sup> September, 2021.

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